

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION**

**LEON BENSON and KOLLEEN
BUNCH,**

Plaintiffs,

v.

**CITY OF INDIANAPOLIS, ALAN F.
JONES, LESLIE VANBUSKIRK,
STEVEN GARNER, ELI MCALLISTER,
and COLUMBUS RICKS, in their
individual capacities,**

Defendants.

CASE NO. 1:24-cv-00839 JPH-MJD

DEFENDANTS' JOINT PRELIMINARY WITNESS AND EXHIBIT LISTS

Pursuant to the Court's September 5, 2024, Case Management Plan (ECF No. 38), Defendants, City of Indianapolis, Alan F. Jones, Leslie VanBuskirk, Steven Garner, Eli McAllister, and Columbus Ricks (collectively referred to as "Defendants"), by counsel, submit their Preliminary Witness and Exhibit Lists as follows:

Preliminary Witness List

Defendants' preliminary witnesses, or categories of witnesses, are:

1. Leslie VanBuskirk;
2. Columbus Ricks;
3. Steven Garner;
4. Eli McAllister;
5. Alan Jones;
6. Plaintiff Leon Benson;
7. Plaintiff Kolleen Bunch;
8. Roy West;

9. Randy West;
10. Randy Head;
11. Heather Barton;
12. Adrienne Meiring;
13. Mark Stoner;
14. Rick VanNess;
15. Carole Johnson;
16. Kelly Bauder;
17. Clark Campbell;
18. Timothy J. Miller;
19. Frances Watson;
20. J. Richard Keiffer;
21. James J. Bell;
22. Eric Koselke;
23. James Hendrix;
24. Joseph Webster;
25. Christy Schmidt;
26. Donald Brooks;
27. Burgess Meredith;
28. Yolanda Hill;
29. Mariann Crosswright;
30. Dakarai Fulton;
31. Jamal Abdullah;
32. Derald Cooper;

33. Shirley Gaskin;
34. Vincent Bolden;
35. Kenneth Brookings;
36. Mark Tobin;
37. Carol Knight;
38. Latasha Shepherd;
39. Dr. Michael Clark;
40. David J. Brundage;
41. Rick Ginther;
42. Lara Abigail Bazelon;
43. Charlie Chaya Nelson Keever;
44. Eric Mason;
45. Records Custodian GRM Information Management Services, Inc;
46. All witnesses listed by any party in this matter;
47. Any witness disclosed or identified by any party to this litigation, including those identified
in initial disclosures;
48. Any expert named by any party;
49. Any witness necessary for rebuttal or impeachment;
50. Any other individuals identified during the course of discovery; and
51. Any person necessary to authenticate documents.

Subject to investigation and discovery, other witnesses may include persons with knowledge of relevant facts and circumstances, Plaintiffs' attempts to mitigate damages, if any, and persons with knowledge of after-acquired evidence. Furthermore, Defendants may need to rely on information possessed by the custodian of relevant documents/records if not among the foregoing individuals.

As this case is in its preliminary stages and discovery and investigation are ongoing, Defendants reserve the right to modify, amend, or supplement this witness list.

Preliminary Exhibit List

Defendants' preliminary exhibits, or categories of exhibits, are:

1. A complete copy of the IPD/IMPD file for the murder of Kasey Schoen and/or the prosecution of Leon Benson related to Marion County Superior Court Cause Number 49G02-9808-PC-134837.
2. A complete and accurate copy of the Marion Superior Court records for State of Indiana v. Leon Benson, Cause Number 49G02-9808-PC-134837 or any related appellate or post-conviction cause numbers.
3. A complete copy of the criminal defense file for Leon Benson related to Marion County Superior Court Cause Number 49G02-9808-PC-134837 and/or Timothy J. Miller's file from this cause number.
4. A complete and accurate copy of any other criminal files in the Marion County Prosecutor's Office possession for charges filed against Leon Benson and prosecuted by the Marion County Prosecutor's Office.
5. Any records of prosecutor policies, manuals, handbooks, trainings, CLEs, updates, police-prosecutor updates, or workshops between 1993 and 2003 covering Brady material or disclosure of exculpatory evidence. Any material produced for or provided to Marion County Prosecutor's Office deputy prosecuting attorneys and produced for or provided to IPD officers by the Marion County Prosecutor's Office.
6. Personnel records, including training records, for Alan Jones, Leslie VanBuskirk, Columbus Ricks, Steven Garner, Eli McCallister, Adrienne Meiring, Randy Head, Heather Barton, and/or Timothy J. Miller.

7. Any audio or video recordings of any witness statements provided by any witnesses in the homicide investigation.
8. Any audio or video recordings of interviews with Alan Jones or any other party in this matter.
9. All documents identified by other parties pursuant to the rules of discovery.
10. All expert reports or documents relied upon by experts.
11. All rebuttal expert reports.
12. All documents supplied by any party through discovery.
13. All documents related to claimed damages, if any.
14. All other relevant medical records, if any.
15. All relevant records from third-parties.
16. All documents listed in any parties' initial disclosures.
17. Any and all pleadings and filings, including exhibits thereto, in this action.
18. All documents identified through discovery and investigation.
19. Any other documents necessary for rebuttal or impeachment purposes.
20. Any other document that may come to the Defendants' attention after the filing of this Preliminary Exhibit List and before trial, which documents will be promptly disclosed to opposing counsel.

As this case is in its preliminary stages and discovery and investigation are ongoing, Defendants reserve the right to modify, amend, or supplement this list.

Respectfully submitted,

/ s / Jeffrey R. Kivetz (with permission)

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